

1 AMENDMENT TO SENATE BILL 878

2 AMENDMENT NO. _____. Amend Senate Bill 878 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing
5 Sections 2-3.25a, 2-3.25b, 2-3.25c, 2-3.25d, 2-3.25e,
6 2-3.25f, 2-3.25g, 2-3.25h, 2-3.25i, 2-3.25j, 7-8, 7A-15,
7 11A-17, 11B-14, 11D-12, and 21-27 and adding Sections 2-3.25m
8 and 2-3.25n as follows:

9 (105 ILCS 5/2-3.25a) (from Ch. 122, par. 2-3.25a)

10 Sec. 2-3.25a. "School district" defined; additional
11 standards.

12 (a) For the purposes of this Section and Sections 3.25b,
13 3.25c, 3.25d, 3.25e, and 3.25f of this Code, "school
14 district" includes other public entities responsible for
15 administering public schools, such as cooperatives, joint
16 agreements, charter schools, special charter districts,
17 regional offices of education, local agencies, and the
18 Department of Human Services.

19 (b) In addition to the standards established pursuant to
20 Section 2-3.25, the State Board of Education shall develop
21 recognition standards for student performance and school
22 improvement in all public schools operated by school

1 districts. The indicators to determine adequate yearly
 2 progress assess--student--performance-and-school-improvement
 3 shall include-but-need-not be limited to the State assessment
 4 of student performance in reading and mathematics, local
 5 assessment---results, student attendance rates at the
 6 elementary school level, retention--rates,--expulsion--rates,
 7 and graduation rates at the high school level, and
 8 participation rates on student assessments. The standards
 9 shall be designed to permit the measurement of a school
 10 district--to--measure student performance and school
 11 improvement by schools and school districts school-buildings
 12 compared to student performance and school improvement for
 13 the preceding academic years.

14 The--provisions--of--this--Section--are--subject--to--the
 15 provisions-of-Section-2-3-25k-

16 (Source: P.A. 89-398, eff. 8-20-95.)

17 (105 ILCS 5/2-3.25b) (from Ch. 122, par. 2-3.25b)

18 Sec. 2-3.25b. Recognition levels. The State Board of
 19 Education shall, consistent with adopted recognition
 20 standards, provide for levels of recognition or
 21 nonrecognition. The State Board of Education shall
 22 promulgate rules governing the procedures whereby school
 23 districts may appeal a recognition level.

24 Subject-to-the-provisions-of-Section-2-3-25k, The State
 25 Board of Education shall have the authority to collect from
 26 schools and school districts the information, data, test
 27 results, student performance and school improvement
 28 indicators as may be necessary to implement and carry out the
 29 purposes of this Act.

30 (Source: P.A. 89-398, eff. 8-20-95.)

31 (105 ILCS 5/2-3.25c) (from Ch. 122, par. 2-3.25c)

32 Sec. 2-3.25c. Rewards and acknowledgements. The State

1 Board of Education shall implement a system of rewards for
 2 school districts, and the schools themselves, to recognize
 3 and reward schools whose students and schools consistently
 4 meet adequate yearly progress criteria for 2 or more
 5 consecutive years and a system to acknowledge schools and
 6 districts that meet adequate yearly progress criteria in a
 7 given year as specified in Section 2-3.25d of this Code
 8 perform--at--high--levels--or--which--demonstrate--outstanding
 9 improvement.

10 If a school or school district meets adequate yearly
 11 progress criteria for 2 consecutive school years, that school
 12 or district shall be exempt from review and approval of its
 13 improvement plan for the next 2 succeeding school years.

14 (Source: P.A. 87-559.)

15 (105 ILCS 5/2-3.25d) (from Ch. 122, par. 2-3.25d)

16 Sec. 2-3.25d. Academic early warning and watch status
 17 list.

18 (a) Those schools that do not meet adequate yearly
 19 progress criteria, as specified by the State Board of
 20 Education, for 2 consecutive annual calculations, shall be
 21 placed on academic early warning status for the next school
 22 year. Schools on academic early warning status that do not
 23 meet adequate yearly progress criteria for a third annual
 24 calculation shall remain on academic early warning status.
 25 Schools on academic early warning status that do not meet
 26 adequate yearly progress criteria for a fourth annual
 27 calculation shall be placed on initial academic watch status.
 28 Schools on academic watch status that do not meet adequate
 29 yearly progress criteria for a fifth or subsequent annual
 30 calculation shall remain on academic watch status. Schools on
 31 academic early warning or academic watch status that meet
 32 adequate yearly progress criteria for one annual calculation
 33 shall be acknowledged for making improvement and shall

1 maintain their current statuses for the next school year.
2 Schools on academic early warning or academic watch status
3 that meet adequate yearly progress criteria for 2 consecutive
4 annual calculations shall be considered as having met
5 expectations and shall be removed from any status
6 designation.

7 The school district of a school placed on either academic
8 early warning status or academic watch status may appeal the
9 status to the State Board of Education in accordance with
10 Section 2-3.25m of this Code.

11 A school district that has one or more schools on
12 academic early warning or academic watch status shall prepare
13 a revised School Improvement Plan or amendments thereto
14 setting forth the district's expectations for removing each
15 school from academic early warning or academic watch status
16 and for improving student performance in the affected school
17 or schools. Districts operating under Article 34 of this Code
18 may prepare the School Improvement Plan required under
19 Section 34-2.4 of this Code.

20 The revised School Improvement Plan for a school that is
21 initially placed on academic early warning status or that
22 remains on academic early warning status after a third annual
23 calculation must be approved by the school board (and by the
24 school's local school council in a district operating under
25 Article 34 of this Code, unless the school is on probation
26 pursuant to subsection (c) of Section 34-8.3 of this Code).

27 The revised School Improvement Plan for a school placed
28 on initial academic watch status after a fourth annual
29 calculation must be approved by the school board (and by the
30 school's local school council in a district operating under
31 Article 34 of this Code, unless the school is on probation
32 pursuant to subsection (c) of Section 34-8.3 of this Code)
33 and the State Superintendent of Education.

34 The revised School Improvement Plan for a school that

1 remains on academic watch status after a fifth annual
2 calculation must be approved by the school board (and by the
3 school's local school council in a district operating under
4 Article 34 of this Code, unless the school is on probation
5 pursuant to subsection (c) of Section 34-8.3 of this Code)
6 and the State Superintendent of Education. In addition, the
7 district must develop a school restructuring plan for the
8 school that must be approved by the school board (and by the
9 school's local school council in a district operating under
10 Article 34 of this Code) and subsequently approved by the
11 State Superintendent of Education.

12 A school on academic watch status that does not meet
13 adequate yearly progress criteria for a sixth annual
14 calculation shall implement its approved school restructuring
15 plan beginning with the next school year, subject to the
16 State interventions specified in Section 2-3.25f of this
17 Code.

18 (b) Those school districts that do not meet adequate
19 yearly progress criteria, as specified by the State Board of
20 Education, for 2 consecutive annual calculations, shall be
21 placed on academic early warning status for the next school
22 year. Districts on academic early warning status that do not
23 meet adequate yearly progress criteria for a third annual
24 calculation shall remain on academic early warning status.
25 Districts on academic early warning status that do not meet
26 adequate yearly progress criteria for a fourth annual
27 calculation shall be placed on initial academic watch status.
28 Districts on academic watch status that do not meet adequate
29 yearly progress criteria for a fifth or subsequent annual
30 calculation shall remain on academic watch status. Districts
31 on academic early warning or academic watch status that meet
32 adequate yearly progress criteria for one annual calculation
33 shall be acknowledged for making improvement and shall
34 maintain their current statuses for the next school year.

1 Districts on academic early warning or academic watch status
2 that meet adequate yearly progress criteria for 2 consecutive
3 annual calculations shall be considered as having met
4 expectations and shall be removed from any status
5 designation.

6 A district placed on either academic early warning status
7 or academic watch status may appeal the status to the State
8 Board of Education in accordance with Section 2-3.25m of this
9 Code.

10 Districts on academic early warning or academic watch
11 status shall prepare a District Improvement Plan or
12 amendments thereto setting forth the district's expectations
13 for removing the district from academic early warning or
14 academic watch status and for improving student performance
15 in the district.

16 The District Improvement Plan for a district that is
17 initially placed on academic early warning status must be
18 approved by the school board.

19 The revised District Improvement Plan for a district that
20 remains on academic early warning status after a third annual
21 calculation must be approved by the school board.

22 The revised District Improvement Plan for a district on
23 initial academic watch status after a fourth annual
24 calculation must be approved by the school board and the
25 State Superintendent of Education.

26 The Revised District Improvement Plan for a district that
27 remains on academic watch status after a fifth annual
28 calculation must be approved by the school board and the
29 State Superintendent of Education. In addition, the district
30 must develop a district restructuring plan that must be
31 approved by the school board and the State Superintendent of
32 Education.

33 A district on academic watch status that does not meet
34 adequate yearly progress criteria for a sixth annual

1 calculation shall implement its approved district
2 restructuring plan beginning with the next school year,
3 subject to the State interventions specified in Section
4 2-3.25f of this Code.

5 (c) All revised School and District Improvement Plans
6 shall be developed in collaboration with staff in the
7 affected school or school district. All revised School and
8 District Improvement Plans shall be developed, submitted, and
9 approved pursuant to rules adopted by the State Board of
10 Education. The revised Improvement Plan shall address
11 measurable outcomes for improving student performance so that
12 such performance meets adequate yearly progress criteria as
13 specified by the State Board of Education.

14 (d) All federal requirements apply to schools and school
15 districts utilizing federal funds under Title I, Part A of
16 the federal Elementary and Secondary Education Act of 1965.

17 ~~These schools that are not meeting the standards of academic~~
18 ~~performance measured by the State assessment of student~~
19 ~~performance as specified by the State Board of Education may~~
20 ~~be placed on an academic watch list established by the State~~
21 ~~Superintendent of Education after serving for 2 years on the~~
22 ~~State Board of Education Early Academic Warning List and~~
23 ~~shall be subject to an on-site visitation to determine~~
24 ~~whether extenuating circumstances exist as to why a school or~~
25 ~~schools should not be placed on an academic watch list by the~~
26 ~~State Superintendent of Education.~~

27 ~~A school district that has one or more schools on the~~
28 ~~academic watch list shall submit a revised School Improvement~~
29 ~~Plan or amendments thereto setting forth the district's~~
30 ~~expectations for removing each school in the district from~~
31 ~~the academic watch list and for improving student performance~~
32 ~~in that school. Districts operating under Article 34 of The~~
33 ~~School Code may submit the School Improvement Plan required~~
34 ~~under Section 34-2.4. If any district submits a School~~

1 Improvement--Plan-which-exceeds-2-years-in-duration, the-Plan
 2 shall-contain-provisions-for-evaluation-and-determination--as
 3 to---the---improvement---of---student--performance--or--school
 4 improvement-after-no-later-than-2-years.-The--revised--School
 5 Improvement--Plan-or-amendments-thereto-shall-be-developed-in
 6 consultation-with-the-staff-of-the-affected-school--and--must
 7 be--approved-by-the-local-board-of-education-and-the-school's
 8 local-school-council-for-districts-operating-under-Article-34
 9 of-the-School-Code.-Revised-School-Improvement-Plans-must--be
 10 submitted---for--approval--to--the--State--Superintendent--of
 11 Education-pursuant-to-rules-and--regulations--promulgated--by
 12 the-State-Board-of-Education.-The-revised-School-Improvement
 13 Plan---shall---address---specific,--measurable--outcomes--for
 14 improving-student-performance-so-that-such-performance-equals
 15 or-exceeds-standards-set-for-the-school-by-the-State-Board-of
 16 Education.

17 A-school-or-schools-shall-remain-on--the--academic--watch
 18 list--for--at--least--one--full--academic--year.-During-each
 19 academic-year-for-which-a-school-is--on--the--academic--watch
 20 list--it--shall--continue-to-be-evaluated-and-assessed-by-the
 21 State-Board-of-Education-as-to-whether-it-is-meeting-outcomes
 22 identified-in-its-revised-School-Improvement-Plan.

23 The--provisions--of--this--Section--are--subject--to--the
 24 provisions-of-Section-2-3.25k.

25 (Source: P.A. 89-398, eff. 8-20-95; 89-698, eff. 1-14-97.)

26 (105 ILCS 5/2-3.25e) (from Ch. 122, par. 2-3.25e)

27 Sec. 2-3.25e. School and district improvement panels
 28 panel. A school or school district that-has-a-school on the
 29 academic watch status list shall have a school or district
 30 improvement panel appointed by the State Superintendent of
 31 Education. Members appointed to the panel shall include, but
 32 not be limited to, individuals who are familiar with
 33 educational issues. The State Superintendent of Education

1 shall designate one member of the panel to serve as chairman.
 2 Any panel appointed for a school operated under Article 34 of
 3 the School Code shall include one or more members selected
 4 from the school's subdistrict council and one or more members
 5 from the school's local school council. The school or
 6 district improvement panel shall (1) assist the school or
 7 district in the development and implementation of a revised
 8 School Improvement Plan and amendments thereto and, (2) make
 9 progress reports and comments to the State Superintendent of
 10 Education pursuant to rules promulgated by the State Board of
 11 Education, ~~and (3) have the authority to review and approve~~
 12 ~~or disapprove all actions of the board of education that~~
 13 ~~pertain to implementation of the revised School Improvement~~
 14 ~~Plan. The revised School Improvement Plan must be developed~~
 15 ~~in consultation with the staff of the affected school and~~
 16 ~~approved by the appropriate board of education and for~~
 17 ~~districts operated under Article 34 of the School Code the~~
 18 ~~school's local school council. Following that approval, the~~
 19 ~~plan shall be submitted to the State Superintendent of~~
 20 ~~Education for approval.~~

21 The provisions of this Section are subject to the
 22 provisions of Section 2-3.25k.

23 (Source: P.A. 89-398, eff. 8-20-95; 89-698, eff. 1-14-97.)

24 (105 ILCS 5/2-3.25f) (from Ch. 122, par. 2-3.25f)

25 Sec. 2-3.25f. State interventions.

26 (a) A school or school district must submit the required
 27 revised Improvement Plan pursuant to rules adopted by the
 28 State Board of Education. The State Board of Education shall
 29 provide technical assistance to assist with the development
 30 and implementation of the improvement plan. School districts
 31 ~~that fail to submit required School Improvement Plans or fail~~
 32 ~~to obtain approval of such plans pursuant to rules adopted by~~
 33 ~~the State Board of Education may have State funds withheld~~

1 ~~until such plans are submitted.~~

2 Schools or school districts that fail to make reasonable
3 efforts to implement an approved School Improvement Plan may
4 suffer loss of State funds by school district, attendance
5 center, or program as the State Board of Education deems
6 appropriate.

7 ~~The provisions of this subsection (a) relating to~~
8 ~~submission and approval of School Improvement Plans are~~
9 ~~subject to the provisions of Section 2-3.25k.~~

10 (b) In addition, if after 3 2 years following its
11 placement on the academic watch status list a school district
12 or school remains on the academic watch status list, the
13 State Board of Education shall take one of the following
14 actions for the district or school:

15 (1) 1. The State Board of Education may authorize
16 the State Superintendent of Education to direct the
17 regional superintendent of schools to remove school board
18 members pursuant to Section 3-14.28 of this Code. Prior
19 to such direction the State Board of Education shall
20 permit members of the local board of education to present
21 written and oral comments to the State Board of
22 Education. The State Board of Education may direct the
23 State Superintendent of Education to appoint an
24 Independent Authority that shall exercise such powers and
25 duties as may be necessary to operate a school or school
26 district for purposes of improving pupil performance and
27 school improvement. The State Superintendent of
28 Education shall designate one member of the Independent
29 Authority to serve as chairman. The Independent Authority
30 shall serve for a period of time specified by the State
31 Board of Education upon the recommendation of the State
32 Superintendent of Education. ~~17-er~~

33 (2) 2. The State Board of Education may (A) change
34 the recognition status of the school district or school

1 to nonrecognized ~~(a) nonrecognize the school district or~~
 2 ~~school,~~ or (B) ~~(b)~~ may authorize the State Superintendent
 3 of Education to direct the reassignment of pupils or
 4 reassign or replace school district personnel who are
 5 relevant to the failure to meet adequate yearly progress
 6 criteria ~~and administrative staff.~~ If a school district
 7 is nonrecognized in its entirety, it shall automatically
 8 be dissolved on July 1 following that nonrecognition and
 9 its territory realigned with another school district or
 10 districts by the regional board of school trustees in
 11 accordance with the procedures set forth in Section 7-11
 12 of the School Code. The effective date of the
 13 nonrecognition of a school shall be July 1 following the
 14 nonrecognition.

15 (c) All federal requirements apply to schools and school
 16 districts utilizing federal funds under Title I, Part A of
 17 the federal Elementary and Secondary Education Act of 1965.

18 (Source: P.A. 89-398, eff. 8-20-95; 89-698, eff. 1-14-97.)

19 (105 ILCS 5/2-3.25g) (from Ch. 122, par. 2-3.25g)
 20 Sec. 2-3.25g. Waiver or modification of mandates within
 21 the School Code and administrative rules and regulations.
 22 Notwithstanding any other provisions of this School Code or
 23 any other law of this State to the contrary, school districts
 24 may petition the State Board of Education for the waiver or
 25 modification of the mandates of this School Code or of the
 26 administrative rules and regulations promulgated by the State
 27 Board of Education. Waivers or modifications of
 28 administrative rules and regulations and modifications of
 29 mandates of this School Code may be requested when a school
 30 district demonstrates that it can address the intent of the
 31 rule or mandate in a more effective, efficient, or economical
 32 manner or when necessary to stimulate innovation or improve
 33 student performance. Waivers of mandates of the School Code

1 may be requested when the waivers are necessary to stimulate
2 innovation or improve student performance. Waivers may not
3 be requested from laws, rules, and regulations pertaining to
4 special education, teacher certification, or teacher tenure
5 and seniority or from compliance with the No Child Left
6 Behind Act of 2001 (Public Law 107-110).

7 School districts, as a matter of inherent managerial
8 policy, and any Independent Authority established under
9 Section 2-3.25f may submit an application for a waiver or
10 modification authorized under this Section. Each application
11 must include a written request by the school district or
12 Independent Authority and must demonstrate that the intent of
13 the mandate can be addressed in a more effective, efficient,
14 or economical manner or be based upon a specific plan for
15 improved student performance and school improvement. Any
16 district requesting a waiver or modification for the reason
17 that intent of the mandate can be addressed in a more
18 economical manner shall include in the application a fiscal
19 analysis showing current expenditures on the mandate and
20 projected savings resulting from the waiver or modification.
21 Applications and plans developed by school districts must be
22 approved by each board of education following a public
23 hearing on the application and plan and the opportunity for
24 the board to hear testimony from educators directly involved
25 in its implementation, parents, and students. The public
26 hearing must be preceded by at least one published notice
27 occurring at least 7 days prior to the hearing in a newspaper
28 of general circulation within the school district that sets
29 forth the time, date, place, and general subject matter of
30 the hearing. The school district must notify in writing the
31 affected exclusive collective bargaining agent of the
32 district's intent to seek approval of a waiver or
33 modification and of the hearing to be held to take testimony
34 from educators. The affected exclusive collective bargaining

1 agents shall be notified of such public hearing at least 7
2 days prior to the date of the hearing and shall be allowed to
3 attend such public hearing.

4 A request for a waiver or modification of administrative
5 rules and regulations or for a modification of mandates
6 contained in this School Code shall be submitted to the State
7 Board of Education within 15 days after approval by the board
8 of education. Following receipt of the request, the State
9 Board shall have 45 days to review the application and
10 request. If the State Board fails to disapprove the
11 application within that 45 day period, the waiver or
12 modification shall be deemed granted. The State Board may
13 disapprove any request if it is not based upon sound
14 educational practices, endangers the health or safety of
15 students or staff, compromises equal opportunities for
16 learning, or fails to demonstrate that the intent of the rule
17 or mandate can be addressed in a more effective, efficient,
18 or economical manner or have improved student performance as
19 a primary goal. Any request disapproved by the State Board
20 may be appealed to the General Assembly by the requesting
21 school district as outlined in this Section.

22 A request for a waiver from mandates contained in this
23 School Code shall be submitted to the State Board within 15
24 days after approval by the board of education. The State
25 Board shall review the applications and requests for
26 completeness and shall compile the requests in reports to be
27 filed with the General Assembly. The State Board shall file
28 reports outlining the waivers requested by school districts
29 and appeals by school districts of requests disapproved by
30 the State Board with the Senate and the House of
31 Representatives before each May 1 and October 1. The General
32 Assembly may disapprove the report of the State Board in
33 whole or in part within 30 calendar days after each house of
34 the General Assembly next convenes after the report is filed

1 by adoption of a resolution by a record vote of the majority
2 of members elected in each house. If the General Assembly
3 fails to disapprove any waiver request or appealed request
4 within such 30 day period, the waiver or modification shall
5 be deemed granted. Any resolution adopted by the General
6 Assembly disapproving a report of the State Board in whole or
7 in part shall be binding on the State Board.

8 An approved waiver or modification may remain in effect
9 for a period not to exceed 5 school years and may be renewed
10 upon application by the school district. However, such waiver
11 or modification may be changed within that 5-year period by a
12 local school district board following the procedure as set
13 forth in this Section for the initial waiver or modification
14 request. If neither the State Board of Education nor the
15 General Assembly disapproves, the change is deemed granted.

16 On or before February 1, 1998, and each year thereafter,
17 the State Board of Education shall submit a cumulative report
18 summarizing all types of waiver mandates and modifications of
19 mandates granted by the State Board or the General Assembly.
20 The report shall identify the topic of the waiver along with
21 the number and percentage of school districts for which the
22 waiver has been granted. The report shall also include any
23 recommendations from the State Board regarding the repeal or
24 modification of waived mandates.

25 (Source: P.A. 89-3, eff. 2-27-95; 89-626, eff. 8-9-96; 90-62,
26 eff. 7-3-97; 90-462, eff. 8-17-97; 90-655, eff. 7-30-98.)

27 (105 ILCS 5/2-3.25h) (from Ch. 122, par. 2-3.25h)

28 Sec. 2-3.25h. Technical assistance; State support
29 services. Schools, school districts, local school councils,
30 school improvement panels, and any Independent Authority
31 established under Section 2-3.25f may receive technical
32 assistance that through the State Board of Education shall
33 make available. Such technical assistance shall may include

1 ~~without limitation,~~ assistance
 2 in the areas of curriculum evaluation, the instructional
 3 process, student performance, school environment, staff
 4 effectiveness, school and community relations, parental
 5 involvement, resource management, and leadership, data
 6 analysis processes and tools, school improvement plan
 7 guidance and feedback, information regarding scientifically
 8 based research-proven curriculum and instruction, and
 9 professional development opportunities for teachers and
 10 administrators.

11 (Source: P.A. 87-559.)

12 (105 ILCS 5/2-3.25i) (from Ch. 122, par. 2-3.25i)
 13 Sec. 2-3.25i. Rules. The State Board of Education shall
 14 promulgate rules and regulations necessary to implement the
 15 provisions of Public Act 87-559 and this amendatory Act of
 16 the 93rd General Assembly 1991. The State Board of Education
 17 may waive any of its rules or regulations which conflict with
 18 Public Act 87-559 or this amendatory Act of the 93rd General
 19 Assembly except those requirements for special education and
 20 teacher certification.

21 (Source: P.A. 87-559.)

22 (105 ILCS 5/2-3.25j) (from Ch. 122, par. 2-3.25j)
 23 Sec. 2-3.25j. Implementation. Commencing with the
 24 1992-93 school year and thereafter the provisions of this
 25 amendatory Act and any rules adopted hereunder shall be
 26 implemented on a schedule identified by the State Board of
 27 Education and incorporated as an integral part of the
 28 recognition process of the State Board of Education. The
 29 ~~provisions of this Section and the authority of the State~~
 30 ~~Board of Education to adopt rules as provided in this Section~~
 31 ~~are subject to the provisions of Section 2-3.25k.~~

32 (Source: P.A. 89-398, eff. 8-20-95.)

1 (105 ILCS 5/2-3.25m new)

2 Sec. 2-3.25m. Appeals. The appeals process outlined in
3 this Section applies to all appeals from school districts
4 pertaining to school or district status levels, recognition
5 levels, or corrective action. The State Board of Education
6 shall provide notice and an opportunity for hearing to the
7 affected school district. The hearing shall take place not
8 later than 30 calendar days following receipt of the written
9 appeal. The appeals advisory committee created as specified
10 in this Section may extend the hearing under special
11 circumstances, in consultation with the State Superintendent
12 of Education. The State Board of Education may take into
13 account exceptional or uncontrollable circumstances.

14 The State Board of Education shall process school and
15 district appeals through an appeals advisory committee. The
16 committee shall be composed of 9 members appointed by the
17 State Superintendent of Education as follows:

18 (1) One representative of the Illinois Education
19 Association.

20 (2) One representative of the Illinois Federation
21 of Teachers.

22 (3) One representative of the Illinois Association
23 of School Administrators.

24 (4) One representative of the Illinois Association
25 of School Boards.

26 (5) One representative of business.

27 (6) One representative of City of Chicago School
28 District 299.

29 (7) One representative of the Illinois Principals
30 Association.

31 (8) One representative of the Illinois Congress of
32 Parents and Teachers.

33 (9) One representative at-large.

34 Five members of the committee shall serve for terms of 2

1 years, and 4 members shall serve for terms of 3 years. The
 2 State Superintendent of Education shall appoint initial
 3 members on or before July 1, 2003. The committee shall
 4 annually elect one member as chairperson.

5 The committee shall hear appeals and, within 30 calendar
 6 days after a hearing, make recommendations for action to the
 7 State Superintendent of Education. The committee shall
 8 recommend action to the State Superintendent of Education on
 9 all appeals. The State Board of Education shall make all
 10 final determinations.

11 (105 ILCS 5/2-3.25n new)

12 Sec. 2-3.25n. No Child Left Behind Act; requirements and
 13 construction.

14 (a) The changes in the State accountability system made
 15 by this amendatory Act of the 93rd General Assembly are a
 16 direct result of the federal No Child Left Behind Act of 2001
 17 (Public Law 107-110), which requires that each state develop
 18 and implement a single, statewide accountability system
 19 applicable to all schools and school districts.

20 (b) As provided in the federal No Child Left Behind Act
 21 of 2001 (Public Law 107-110), nothing in this amendatory Act
 22 of the 93rd General Assembly shall be construed to alter or
 23 otherwise affect the rights, remedies, and procedures
 24 afforded school district or school employees under federal,
 25 State, or local law (including applicable rules, regulations,
 26 or court orders) or under the terms of collective bargaining
 27 agreements, memoranda of understanding, or other agreements
 28 between such employees and their employers.

29 (105 ILCS 5/7-8) (from Ch. 122, par. 7-8)

30 Sec. 7-8. Limitation on successive petitions. No
 31 territory, nor any part thereof, which is involved in any
 32 proceeding to change the boundaries of a school district by

1 detachment from or annexation to such school district of such
 2 territory, and which is not so detached nor annexed, shall be
 3 again involved in proceedings to change the boundaries of
 4 such school district for at least two years after final
 5 determination of such first proceeding unless during that 2
 6 year period a petition filed is substantially different than
 7 any other previously filed petition during the previous 2
 8 years or if a school district involved is placed on the-State
 9 Board--of--Education's academic watch status list or the
 10 financial watch list by the State Board of Education or is
 11 certified as being in financial difficulty during that 2 year
 12 period or if such first proceeding involved a petition
 13 brought under Section 7-2b of this Article 7.

14 (Source: P.A. 87-1139; 88-386.)

15 (105 ILCS 5/7A-15) (from Ch. 122, par. 7A-15)

16 Sec. 7A-15. Limitation on successive petitions. No unit
 17 school district that is involved in any proceeding under this
 18 Article to be dissolved and converted into an elementary
 19 school district (with all territory within the unit school
 20 district proposed to be so dissolved to be concurrently
 21 annexed to a contiguous high school district), and which is
 22 not so dissolved or converted into an elementary school
 23 district, shall be again involved in proceedings under this
 24 Article to dissolve and convert into an elementary school
 25 district for at least two years after final determination of
 26 such first proceeding unless during that 2 year period a
 27 petition filed is substantially different than any other
 28 previously filed petition during the previous 2 years or if a
 29 school district involved is placed on the--State--Board--of
 30 Education's academic watch status list or the financial watch
 31 list by the State Board of Education or is certified as being
 32 in financial difficulty during that 2 year period.

33 (Source: P.A. 87-1139.)

1 (105 ILCS 5/11A-17)

2 Sec. 11A-17. Limitation on successive petitions. No
3 territory or any part thereof that is not included within any
4 unit school district and that is involved in a proceeding
5 under this Article to be organized into a community unit
6 school district, and that is not by that proceeding organized
7 into a community unit school district, shall be again
8 involved in proceedings under this Article to be organized
9 into a community unit school district for at least two years
10 after final determination of such first proceeding unless
11 during that 2 year period a petition filed is substantially
12 different than any other previously filed petition during the
13 previous 2 years or if a school district involved is placed
14 on ~~the State Board of Education's~~ academic watch status list
15 or the financial watch list by the State Board of Education
16 or is certified as being in financial difficulty during that
17 2 year period.

18 No unit school district that is involved in any
19 proceeding under this Article to be organized along with any
20 other unit school district or districts or territory into a
21 community unit school district and that is not by that
22 proceeding so organized into a community unit school
23 district, and no unit district that is involved in any
24 proceeding under this Article to be divided into 2 or more
25 parts and as divided included in 2 or more community unit
26 school districts and that is not by that proceeding so
27 divided and included in other community unit school
28 districts, shall be again involved in proceedings under this
29 Article to be organized into a community unit school district
30 or divided and included in other community unit school
31 districts for at least two years after final determination of
32 such first proceeding unless during that 2 year period a
33 petition filed is substantially different than any other
34 previously filed petition during the previous 2 years or if a

1 school district involved is placed on the--State--Board--of
 2 Education's academic watch status list or the financial watch
 3 list by the State Board of Education or is certified as being
 4 in financial difficulty during that 2 year period.

5 (Source: P.A. 87-1139; 88-45; 88-555, eff. 7-27-94.)

6 (105 ILCS 5/11B-14) (from Ch. 122, par. 11B-14)

7 Sec. 11B-14. Limitation on successive petitions. No
 8 elementary or high school district that is involved in any
 9 proceeding under this Article to be formed into and included
 10 as part of a combined school district to be established in
 11 that proceeding, and that is not so formed into and included
 12 as part of a combined school district in that proceeding,
 13 shall be again involved in proceedings under this Article for
 14 at least two years after final determination of such first
 15 proceeding unless during that 2 year period a petition filed
 16 is substantially different than any other previously filed
 17 petition during the previous 2 years or if a school district
 18 involved is placed on the-State-Board-of-Education's academic
 19 watch status list or the financial watch list by the State
 20 Board of Education or is certified as being in financial
 21 difficulty during that 2 year period.

22 (Source: P.A. 87-1139.)

23 (105 ILCS 5/11D-12) (from Ch. 122, par. 11D-12)

24 Sec. 11D-12. Limitation on successive petitions. No
 25 unit or high school district that is involved in any
 26 proceeding under this Article to be dissolved and formed into
 27 a new high school district and new elementary school
 28 districts, and that is not by those proceedings so dissolved
 29 and formed into a new high school district and new elementary
 30 school districts, shall be again involved in proceedings
 31 under this Article to be dissolved and formed into a new high
 32 school district and new elementary school districts for at

1 least two years after final determination of such first
2 proceeding unless during that 2 year period a petition filed
3 is substantially different than any other previously filed
4 petition during the previous 2 years or if a school district
5 involved is placed on the ~~State Board of Education's~~ academic
6 watch status list or the financial watch list by the State
7 Board of Education or is certified as being in financial
8 difficulty during that 2 year period.

9 (Source: P.A. 87-1139; 88-45.)

10 (105 ILCS 5/21-27)

11 Sec. 21-27. The Illinois Teaching Excellence Program.
12 The Illinois Teaching Excellence Program is hereby
13 established to provide categorical funding for monetary
14 incentives and bonuses for teachers who are employed by
15 school districts and who hold a Master Certificate. The
16 State Board of Education shall allocate and distribute to
17 each school district an amount as annually appropriated by
18 the General Assembly from federal funds for the Illinois
19 Teaching Excellence Program. Unless otherwise provided by
20 appropriation, each school district's annual allocation shall
21 be the sum of the amounts earned for the following incentives
22 and bonuses:

23 (1) An annual payment of \$3,000 to be paid to each
24 teacher who successfully completes the program leading to
25 and who receives a Master Certificate and is employed as
26 a teacher by a school district. The school district
27 shall distribute this payment to each eligible teacher as
28 a single payment or in not more than 3 payments.

29 (2) An annual incentive equal to \$1,000 shall be
30 paid to each teacher who holds a Master Certificate, who
31 is employed as a teacher by a school district, and who
32 agrees, in writing, to provide 60 hours of mentoring
33 during that year to classroom teachers. This mentoring

1 may include, either singly or in combination, (i)
2 providing high quality professional development for new
3 and experienced teachers, and (ii) assisting National
4 Board for Professional Teaching Standards (NBPTS)
5 candidates through the NBPTS certification process. The
6 school district shall distribute 50% of each annual
7 incentive payment upon completion of 30 hours of the
8 required mentoring and the remaining 50% of the incentive
9 upon completion of the required 60 hours of mentoring.
10 Credit may not be granted by a school district for
11 mentoring or related services provided during a regular
12 school day or during the total number of days of required
13 service for the school year.

14 (3) An annual incentive equal to \$3,000 shall be
15 paid to each teacher who holds a Master Certificate, who
16 is employed as a teacher by a school district, and who
17 agrees, in writing, to provide 60 hours of mentoring
18 during that year to classroom teachers in schools on the
19 academic early warning status list or in schools in which
20 50% or more of the students receive free or reduced price
21 lunches, or both. The school district shall distribute
22 50% of each annual incentive payment upon completion of
23 30 hours of the required mentoring and the remaining 50%
24 of the incentive upon completion of the required 60 hours
25 of mentoring. Credit may not be granted by a school
26 district for mentoring or related services provided
27 during a regular school day or during the total number of
28 days of required service for the school year.

29 Each regional superintendent of schools shall provide
30 information about the Master Certificate Program of the
31 National Board for Professional Teaching Standards (NBPTS)
32 and this amendatory Act of the 91st General Assembly to each
33 individual seeking to register or renew a certificate under
34 Section 21-14 of this Code.

1 (Source: P.A. 91-606, eff. 8-16-99; 92-796, eff. 8-10-02.)

2 (105 ILCS 5/2-3.25k rep.)

3 Section 10. The School Code is amended by repealing
4 Section 2-3.25k.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law."